

# Appendix 1



LICENSING ACT 2003

120 (Kms)  
74146

FOR OFFICE USE			
Receipt No:	FEE REQUIRED:	Date:	Initials:
On-Line Payment Ref:			

This form should be completed and forwarded to: Licensing Section, Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.  
 On-Line payments can be made at: [http://www.towerhamlets.gov.uk/content\\_pages/pay\\_it.aspx](http://www.towerhamlets.gov.uk/content_pages/pay_it.aspx)  
 Or alternatively from <http://www.towerhamlets.gov.uk/> under 'Online Services'

**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
 You may wish to keep a copy of the completed form for your records.

I/We (Insert name(s) of applicant) **Bicycle Retail Ltd T/A Peloton and Co**

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Part 1 – Premises details**

Peloton and Co 4 Market Street spitalfields	
Post town London	Post code E1 6DT

Telephone number at premises (if any)



Non-domestic rateable value of premises

£  
34,250

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as

- Please tick as appropriate
- a) an individual or individuals\*  Please complete section (A)
  - b) a person other than an individual \*
    - i. as a limited company  please complete section (B)
    - ii. as a partnership  please complete section (B)
    - iii. as an unincorporated association or  please complete section (B)
    - iv. other (for example a statutory corporation)  please complete section (B)
  - c) a recognised club  please complete section (B)
  - d) a charity  please complete section (B)
  - e) the proprietor of an educational establishment  please complete section (B)
  - f) a health service body  please complete section (B)
  - g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
  - h) the chief officer of police of a police force in England and Wales  please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

- Please tick as appropriate
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
  - I am making the application pursuant to a
    - statutory function or
    - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

**Surname**

**First names**

I am 18 years old or over

Please tick yes

**Current postal address if different from premises address**

**Post Town**

**Postcode**

**Daytime contact telephone number**

**E-mail address (optional)**

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

**Surname**

**First names**

I am 18 years old or over

Please tick yes

**Current postal address if different from premises address**

**Post Town**

**Postcode**

**Daytime contact telephone number**

**E-mail address (optional)**

**B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	Bicycle Retail Ltd T/A Peloton And Co
Address	4 Market Street,London E16DT
Registered number (where applicable)	08135643
Description of applicant (for example partnership, company, unincorporated association etc)	Ltd Company
Telephone number, if any	[REDACTED]
	[REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
0	1	0 2 2 0 1 4

If you wish the licence to be valid only for a limited period, when do you want it to end?

N/a

Day	Month	Year

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A
-----

Please give a general description of the premises (please read guidance note1)

We have a straight forward box shaped new retail unit within a pedestrianised area of Spitalfields market.

We have set this unit as a cycle cafe where we sell teas coffee cakes as well as Cycles and clothing accessories .

We hope to serve alcohol within this environment on a fairly low key basis where beers and wines will be offered but not the promotion of spirits.

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Supply of alcohol** (if ticking yes, fill in box M)

 In all cases complete boxes K, L and M

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a film take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for Indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		Please give further details here (please read guidance note 3)
Tue					
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Thur					
Fri					Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat					
Sun					



**E**

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon	8.30 -	5.30	We will only be playing back ground music for our customers of which we have a ppl licence		
Tue	8.30	5.30			
Wed	8.30	5.30	<u>State any seasonal variations for playing recorded music</u> (please read guidance note 4)		
Thur	8.30	5.30			
Fri	8.30	5.30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	11.00	5.00			
Sun	11.00	5.00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)</b>	indoors	yes	
Day	Start	Finish		Outdoors		
Mon	7.00	9.00	<b>Please give further details here (please read guidance note 2)</b> we may on occsaional have private evenings but only to individuals who have vip style invitation . We may only have 5 to 10 of these a year and will be on the hours listed on Monday schedual but could be held on other allocated days of the week	Both		
Tue						
Wed				<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>		
Thur						
Fri						
Sat				<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sun						

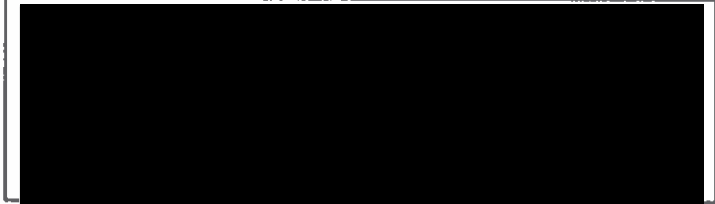
<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick [Y] (please read guidance note 7)</b>	On the premises	yes	
Day	Start	Finish		Off the premises		
Mon	12.00	5.00	<b>Please give further details here (please read guidance note 7)</b>	Both		
Tue	12.00	5.00				
Wed	12.00	5.00		<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>		
Thur	12.00	5.00				
Fri	12.00	5.00				
Sat	11.00	5		<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sun	11.00	5.00				

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

Leigh richards

Address



Personal Licence number(if known)



Issuing licensing authority (if known)



**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A as we are not having any adult specific entertainment and any children would be accompanied by a parent or gardian.



## **M**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

We will ensure to promote all four licensing objectives through the steps we have outlined below for each licensing objective's that we intend to take. Furthermore these steps will be monitored and reviewed regularly to ensure the effectiveness of the steps and where needed we will implement appropriate changes for improvement.

**b) The prevention of crime and disorder**

Plastic containers and toughened glass;

CCTV;

Open containers not to be taken from the premises;

Restrictions on drinking areas;

Safe capacity limits;

Proof of age schemes (No proof, no sale, no entry);

Book recording all incidents at premises;

No irresponsible promotions that may lead to the excessive consumption of alcohol;

A specified time between last sales and the close of the premises;

Supply of free soft drink, water, coffee or food at the end of the evening.

Having adequate staff to cover area at all times at who have experience of working in such an environment.

**c) Public safety**

To make sure we adhere to safe capacity limits at all times

safety checks to be carried out before the admission of the general public

To keep maintaining the health and safety and fire safety regulation that we already adhere to.

**d) The prevention of public nuisance**

Hours of operation;  
Prominent, clear and legible notices are to be displayed on all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly;

No bright lights outside the premises;

Music will be at a level as not to be heard outside of the building.

Book for recording nuisance complaints

Telephone with direct cab line;

A specified time between last sales and the closure of the premises;

Supply of free soft drink, water, coffee or food at the end of the evening.

**e) The protection of children from harm**

where alcohol is sold, requirements for the production of proof of age cards or other age identification before sales are made to individuals under 18 years;

limitations on the hours when children may be present;

limitations on the presence of children under certain ages when particular specified activities are taking place;

age limitations (below 18);

limitations or exclusions when certain activities are taking place;

requirements for accompanying adult.

Any under 18s would have to be accompanied by an adult at all times.

**You have completed part 3 of this form. Below is a checklist for your assistance.**

**CHECKLIST:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee  
Insert On-Line Payment reference here if applicable :
  
- I have enclosed the plan of the premises



- I have sent copies of this application and the plan (showing the area to be licensed) to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be Premises Supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**Part 4 – Signatures** (please read guidance note 10)

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted signature]

Date 13.1.14

Capacity General Manager of Bicycle Retail Ltd

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature

[Handwritten signature]

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Paul Jenkins

[Redacted address]

Post town [Redacted]

Post code [Redacted]

Telephone number (if any) [Redacted]

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

[Redacted email address]



LICENSING ACT 2003

FOR OFFICE USE			
RECEIPT / INVOICE NO.	FEE REQUIRED:	Date:	Initials:

This form should be completed and forwarded to Licensing Section, Mulberry Place ( AH), PO BOX 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets.

**Consent of individual to being specified as premises supervisor**

Leigh richards

I .....  
 [full name of prospective premises supervisor]

of... [redacted] .....

.....  
 [home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for .....Premises License  
 .....[type of application]

by .....Leigh Richards.....[name of applicant]

relating to a premises licence .....[number of existing licence, if any]

for Bicycle Retail Ltd 4 Market street,London E16DT

.....  
 [name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made

by Leigh Richards[name of applicant]

concerning the supply of alcohol at Peloton and co,4 Market street London E16DT

.....  
 [name and address of premises to which application relates]



I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number ..... [REDACTED]  
.....  
{insert personal licence number, if any}

Personal licence issuing authority ..... [REDACTED] .....  
{insert name and address and telephone number of personal licence issuing authority, if any}

..... [REDACTED] .....signed

.....Leigh Richards.....name (please print)

.....13.1.14.....dated

**LONDON BOROUGH OF TOWER HAMLETS  
LICENSING ACT 2003**

**NOTICE OF APPLICATION FOR A PREMISES LICENCE**

Notice is given that Bicycle Retail Ltd T/A Peloton And Co has applied to London Borough of Tower Hamlets Licensing Authority for a Premises Licence under the Licensing Act 2003

<b>Premises</b>	<b><i>4 Market Street, Spitalfields, London, E16DT</i></b>
<b>The licensable activities and timings are:</b>	<b><i>For The Sale Of Alcohol On The Premises.</i></b>  <b><i>During The Hours Of,</i></b>  <b><i>Monday -Friday 12-6.00</i></b>  <b><i>Saturday-Sunday 12-5.00</i></b>

Anyone who wishes to make representations regarding this application must give notice in writing to: **The Licensing Section, London Borough of Tower Hamlets, Mulberry Place, 5 Clove Crescent, London E14 2BG**

Website: [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk) Tel: 020 7364 5008

**Representations must be received no later than 11.4.14 \_**

The Application Record and Register may be viewed between 10am and 4pm Monday to Friday during normal office hours at the above address.

LONDON BOROUGH OF TOWER HAMLETS

235756

Received: Cheque  
P.O., M.O.  
Cash

C

Date 17/11/2014

Received of M Bicycle Retail Ltd  
the sum of Three Hundred & Fifty pounds  
and New Premises pence, in respect of  
Peloton & Co.

6 Market Street, London E1 6DT

Amount  
£ 315.00



for Director of Finance

F/67

LLOYDS BANK

Hatfield Branch  
Lloyds Bank plc, PO Box 1000 BX1 1LT

30-13-80

Date 13.1.13

www.lloydsbank.com 9508 07/13

Payee	PayL	PayA	PayC
Payee	PayL	PayA	PayC
Payee	PayL	PayA	PayC
Payee	PayL	PayA	PayC

£ 315=

FOR BICYCLE RETAIL LIMITED

Lloyds Bank plc  
17 12 13

Cheque No.

Sort Code

Account No.

Trans. Code

⑈000497⑈ 30⑈ 1380⑈ 22978060⑈02



TOWER HAMLETS

Communities, Localities & Culture  
Business and Consumer Regulation Service

Head of Service David Tolley

Licensing Section  
6<sup>th</sup> Floor  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel 020 7364 5008  
Fax 020 7364 0863  
Enquiries to Licensing  
Email [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

Peloton & Co  
4 Market Street  
London E1 6DT

13<sup>th</sup> February 2014

Your reference  
My reference TSS/LIC

Dear Sir/Madam,

**Licensing Act 2003**  
**New Premises**

Please find enclosed a copy of the plans sent to us with underpaid postage (5x£3 paid by us) received 12<sup>th</sup> February 2014. You have not indicated what type of application you are referring to. We do not have any record of any application for 4 Market Street E1 6DT.

If you could provide us with more information of what type of licence application made, when you applied and how much you paid we may be able to help more effectively.

Yours faithfully,

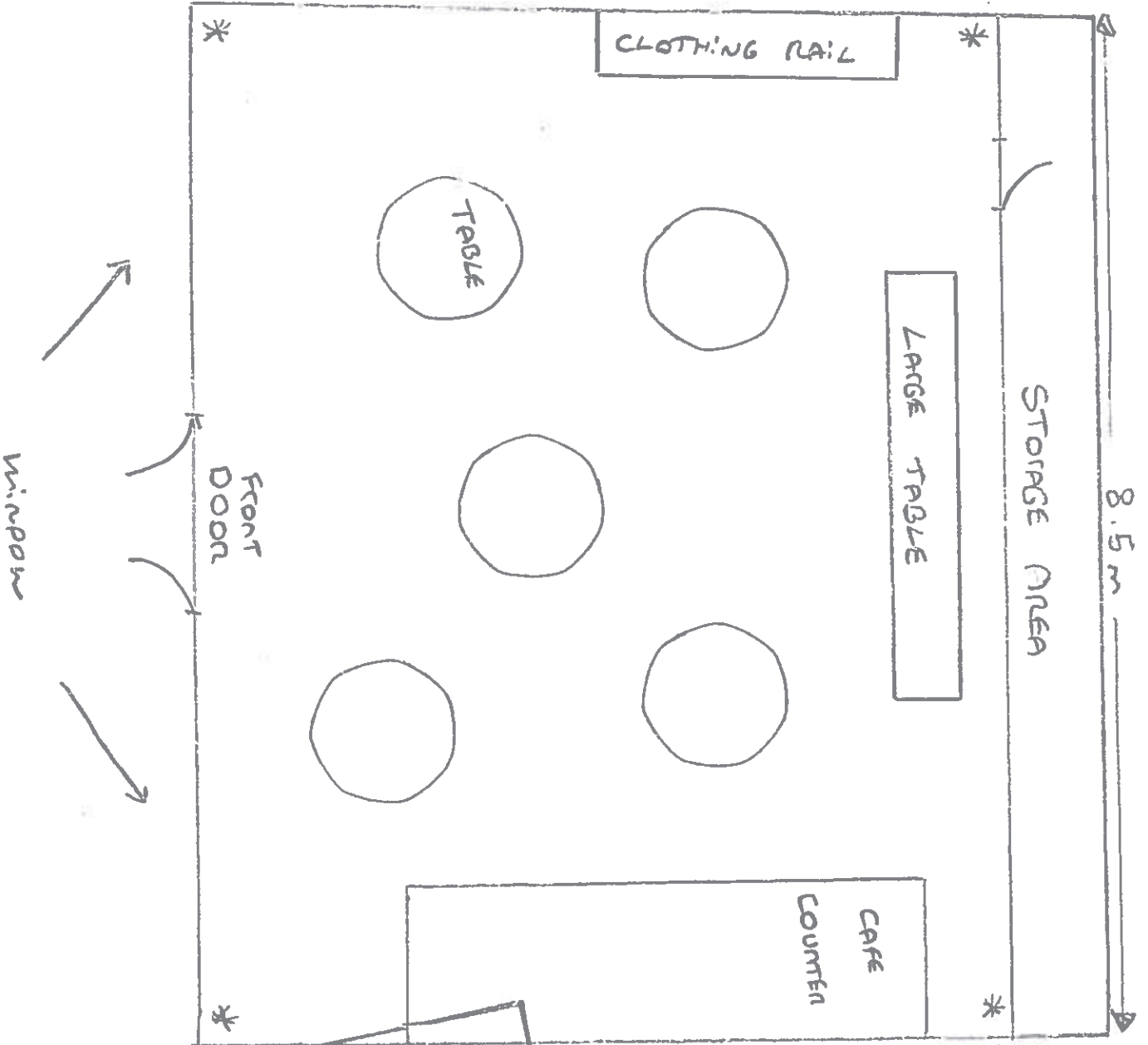


Kathy Driver  
Principal Licensing Officer

SCALE 1:50

8.5m

6.6m



NOTES

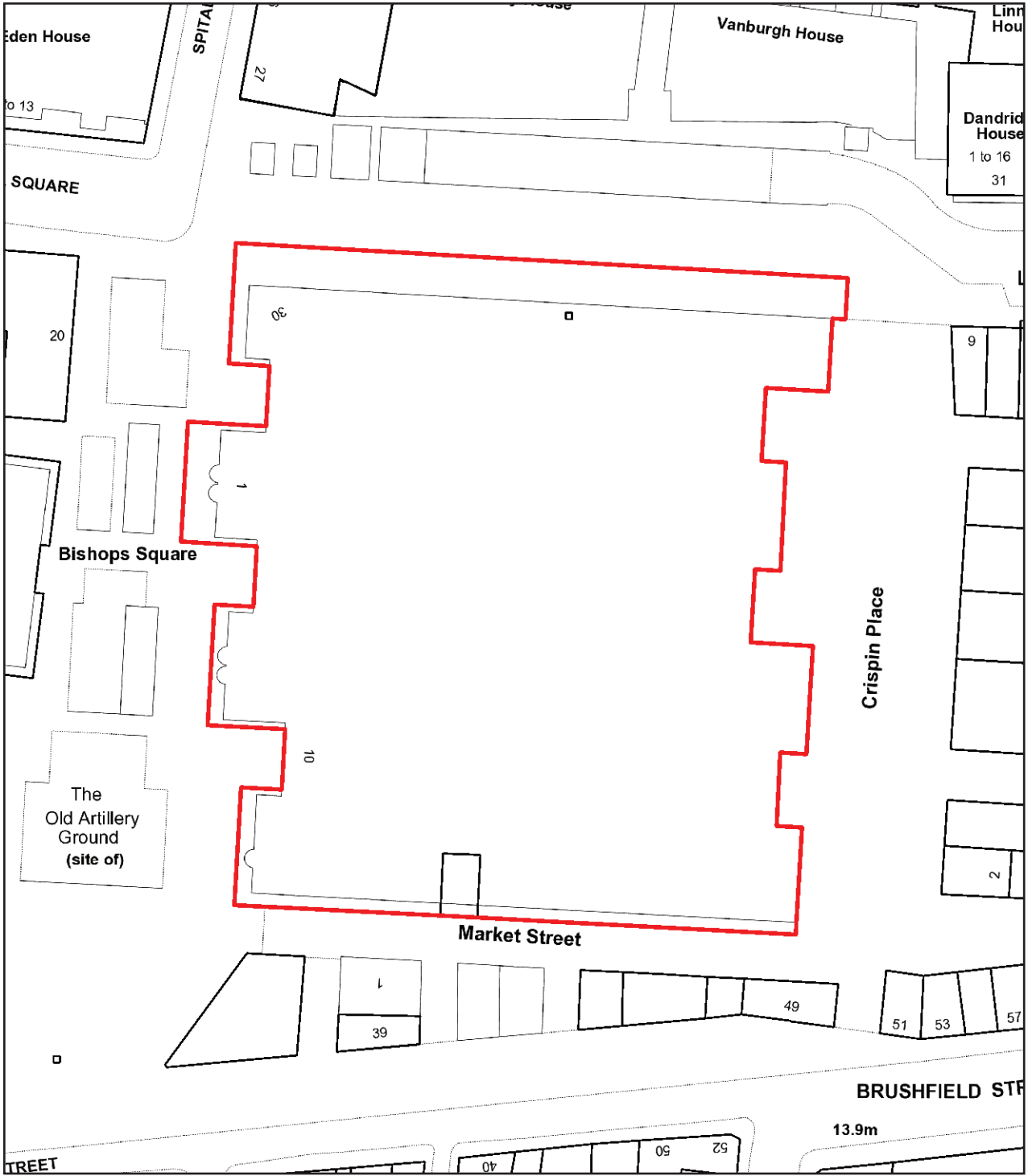
- CUSTOMERS IN FRONT OF SHOP ONLY
- ALL TABLES + CHAIRS ARE MOVABLE.
- WE ARE MID-TERRACE
- AREA TO BE DEMARCAED MARKED BY \*
- NO KITCHEN ON SITE

**LBTH**  
 TRADING STANDARDS  
 12 FEB 2014  
**LICENSING**

FRONT DOOR LEANS TO SEDESTAIRCASED AREA.  
 TO SUPPORT APP PELLERON + CO 4 MARKET ST E1 6DT



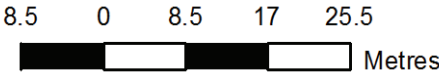
# Appendix 2

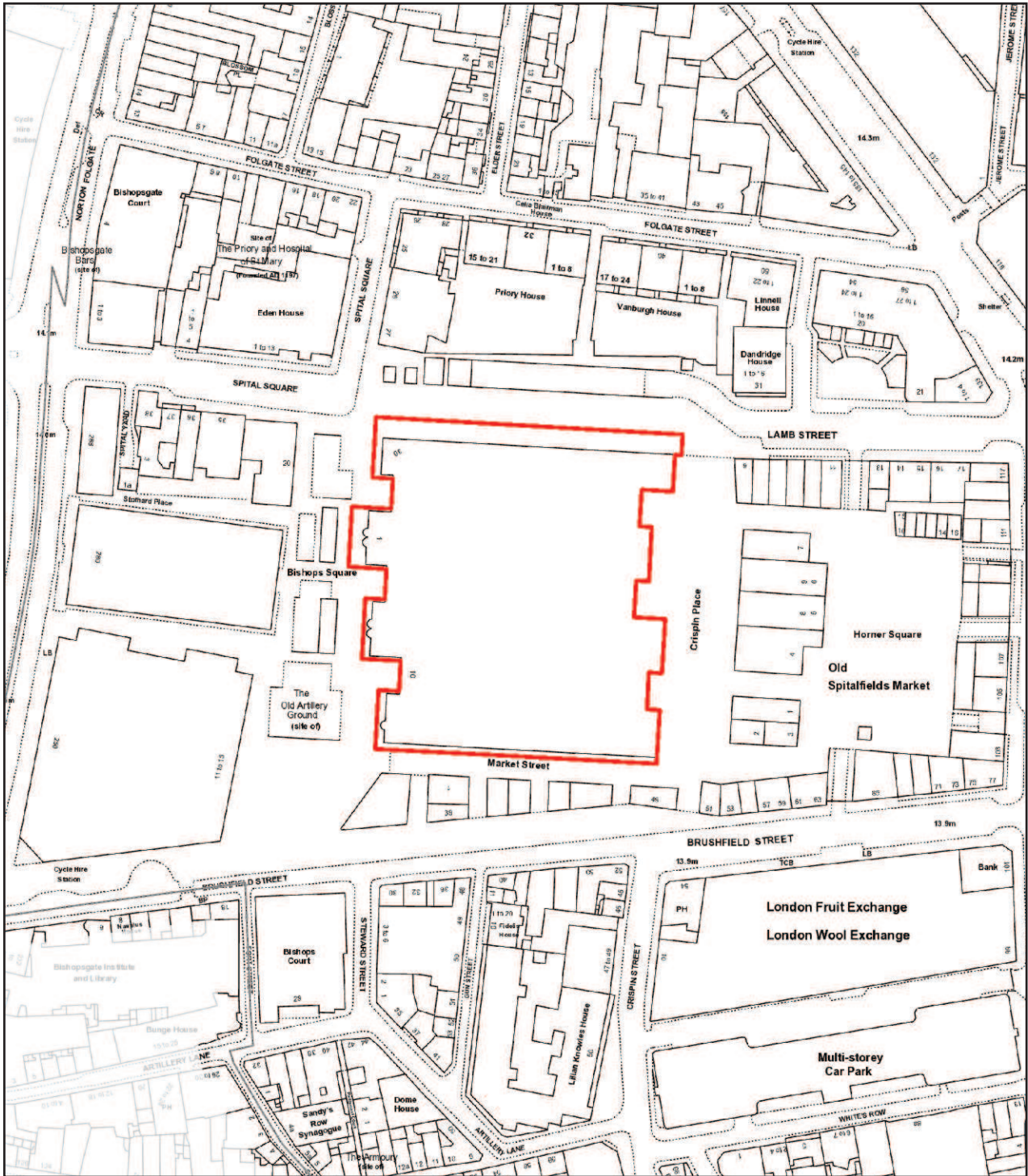


# 4 Market Street



Scale 1:957





# 4 Market Street



Scale 1:1914

10 0 10 20 30

Metres



# Appendix 3

## Section 182 Advice by the Home Office

Updated October 2010

### Relevant, vexatious and frivolous representations

- 9.8 A representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in “Guidance for interested parties: Making representations” which can be found on the Home Office website.
- 9.9 The “cumulative impact” on the licensing objectives of a concentration of multiple licensed premises may also give rise to a relevant representation when an application for the grant or variation of a premises licence is being considered, but not in relation to an application for review which must relate to an individual premises.
- 9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority’s decision by way of judicial review.
- 9.11 Licensing authorities should not take decisions on whether representations are relevant on the basis of any political judgement. This may be difficult for ward councillors receiving complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the subcommittee before any decision is taken that necessitates a hearing. Any ward councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.12 The Home Secretary recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.
- 9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.

# Appendix 4

LBTH Licensing

Toby Club  
Vawdrey Close  
E1 4UA**HT - Tower Hamlets Borough**  
**HH - Limehouse Police Station**Licensing Office  
Limehouse Police Station  
27 West India Dock Road &  
5 Birchfield Street  
E14 8EZ

Telephone: 0207 275 4911

Facsimile:

Email:

Your ref:

Our ref:

3 March 2014

Dear Mr McCrohan

**Re: application for a premises licence**  
**Peloton and Co, 4 Market St, E1 6DT**

I write with reference regarding the above application. Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives.

**The prevention of crime and disorder****The prevention of public nuisance**

LBTH has recently adopted a Saturation Policy / Cumulative Impact Policy for the Commercial Street area, which includes Market Street. This policy was adopted due to the concerns about the number of licensed premises in such a small area and the resulting number of ASB calls and the potential for disorder.

With regards to this policy, the licensing authority will normally refuse any new applications or any variation of these in the cumulative impact zone; **unless the application**



ca. demonstrate there will be no negative cumulative impact on one or more of the licensing objectives.

Can the applicant provide evidence that the operation of the premise will not add to the negative cumulative impact already being experienced in this area?

Although the alcohol hours are within the framework hours, it is yet another premise that will have the ability to sell alcohol in the area which is already "saturated"

I therefore ask the committee to refuse this application as it falls within the CIZ. I understand however that each application is scrutinized by the committee on an individual basis.

If they are to consider granting a licence, I would ask that they consider the following condition.

#### Install / maintain CCTV

##### 1. CCTV

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority,

(Can one camera be placed o/s the entrance and on entry)

Alan Cruickshank PC 189HT

# Appendix 5

### **Special Cumulative Impact Policy for the Brick Lane Area**

As with many other London Borough's the majority of late night licensed premises are concentrated within one area of the Borough. Following guidance issued under the Licensing Act 2003 a cumulative impact policy was adopted on 18th September 2013 by the Council.

After consultation the Council recognises that because of the number and density of licensed premises selling alcohol, on and off the premises and the provision of late night refreshment (sale of hot food after 11pm) within the Brick Lane Area as defined in Figure One, there might be exceptional problems of nuisance, disturbance and/or disorder outside or away from those licensed premises as a result of their combined effect.

The Licensing Authority is now of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and/or the provision of late night refreshment in the area highlighted in Figure One is having a cumulative impact on the licensing objectives and has therefore declared a cumulative impact zone.

The effect of this Special Cumulative Impact Policy is to create a rebuttable presumption for applications in respect of the sale or supply of alcohol on or off the premises and/or late Night Refreshment for new Premises Licences, Club Premises Certificates or Provisional Statements and applications for variations of existing Premises Licences, Club Premises Certificates (where the modifications are relevant to the issue of cumulative impact for example increases in hours or capacity). Where the premises are situated in the cumulative impact zone and a representation is received, the licence will be refused. To rebut this presumption the applicant would be expected to show through the operating schedule and where appropriate with supporting evidence that the operation of the premises will not add to the cumulative impact already being experienced. This policy does not act as an absolute prohibition on granting/varying new licences in the Cumulative Impact Zone.

The Special Cumulative Impact policy will not be used to revoke an existing licence or certificate and will not be applicable during the review of existing licences.

Figure One

**The Cumulative Impact Zone in the Brick Lane area**

The Cumulative Impact Zone is detailed in the map below. The map shows all of the premises (dots) currently licensed under the Licensing Act 2003 in the Brick Lane Area. The Cumulative Impact Zone is defined by the dark line.



# Appendix 6

## Anti-Social Behaviour On The Premises

### Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. **(See Sections 5.2 of the Licensing Policy)**

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

### Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

### Guidance Issued under Section 182 of the Licensing Act 2003.

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (Annex D).

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, police liaison, no glasses are all relevant (S2.7-2.11).

Guidance Issued under Section 182 of the Licensing Act 2003  
Conditions can be imposed for large capacity “vertical consumption” premises (10.40).

#### Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

#### Other Legislation

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.



# Appendix 7

## Anti-Social Behaviour From Patrons Leaving The Premises

### General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

### Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” (**See Section 4.10 and 4.11 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 5.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

### Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 6 of the Licensing Policy**).

### Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

### Guidance Issued under Section 182 of the Licensing Act 2003.

The pool of conditions, adopted by the council is recommended (13.20).

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, police liaison, no glasses are all relevant (s.2.7-2.11).

*There is also guidance issued around the heading of “public nuisance as follows*

The pool of conditions, adopted by the council is recommended (Annexe D).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures “within the direct control of the licence holder” (2.38).

### Other Legislation

#### Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

# Appendix 8

## **Access and Egress problems**

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Sections 8.1 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Sections 8.2 of the Licensing Policy, and also Section 12.5**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 12.4**)

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to the prevention of Public Nuisance. (**See Appendix 2 Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

#### Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the council is recommended (13.20 and Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.36) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.38).

In certain circumstances conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave (2.36).

However, it is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.38)

# Appendix 9

## **Planning**

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.



# Appendix 10

## **Licensing Policy relating to hours of trading**

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

Sunday to Thursday      06 00 hrs to 23 30 hrs

Friday and Saturday      06 00 hrs to midnight

(see 12.8 Of the licensing policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicants proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(see 12.8 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only